IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

MAR 26 2007

BY DEFLUY OLEAN
CV00011

MARY A. WRIGHT,

)
Case No. 1:06CV00011

Plaintiff,

FINAL JUDGMENT

v.

By: James P. Jones

COMMISSIONER OF SOCIALSECURITY,

Defendant.

)
Chief United States District Judge

Based upon the court's de novo review of those portions of the magistrate judge's report and recommendations to which the defendant objected, it is **ADJUDGED AND**ORDERED as follows:

- 1. The defendant's objections are overruled;
- 2. The magistrate judge's report and recommendations are accepted;
- 3. The motions for summary judgment by the parties are denied and the Commissioner's decision is vacated;
- 4. The case is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration of the plaintiff's mental residual functional capacity and resulting ability to work; and
 - 5. The clerk is directed to close the case.

ENTER: March-26, 2007

Chief United States District Judge